From Founding Principles to Twentieth-Century Turmoil: Hamilton, the Second Amendment, Nixon, and Kent State

Douglas C. Youvan

doug@youvan.com

March 12, 2024

In "From Founding Principles to Twentieth-Century Turmoil: Hamilton, the Second Amendment, Nixon, and Kent State," we embark on a historical journey that explores the profound evolution of American political thought and its tangible impact on the nation's fabric. This paper traces the ideological lineage from Alexander Hamilton's foundational advocacy for a strong central government and a well-regulated militia, through the contentious debates surrounding the Second Amendment, to the societal upheavals during Richard Nixon's presidency, culminating in the tragic Kent State shootings of 1970. Through this narrative, we aim to illuminate the intricate dynamics between federal authority, state rights, and individual freedoms, and how these elements have shaped the United States' political landscape. By examining these pivotal moments and figures, the paper seeks to provide a comprehensive understanding of the enduring struggle to balance governance, liberty, and security in the ever-evolving American democracy.

Keywords: Alexander Hamilton, Second Amendment, Richard Nixon, Kent State shootings, federal authority, state rights, individual freedoms, American political thought, civil-military relations, constitutional principles, Vietnam War, National Guard, civil liberties, public protest.

Introduction

In the tapestry of American history, the thread that weaves through its fabric is the enduring dialogue between the principles of liberty, the role of government, and the rights of its citizens. This paper aims to explore the intricate patterns formed by this dialogue, tracing its contours from the foundational years of the United States through a turbulent period in the late 20th century. Central to our exploration are four pivotal elements: Alexander Hamilton, the Second Amendment to the U.S. Constitution, President Richard M. Nixon, and the Kent State shootings. Each represents a critical juncture in American political thought and civil-military relations, marking the nation's ongoing struggle to balance federal power, state sovereignty, and individual freedoms.

Alexander Hamilton, as a Founding Father, left an indelible mark on the U.S. Constitution and its early interpretation. His advocacy for a strong central government and a well-regulated militia, as articulated in the Federalist Papers, particularly Federalist No. 29, helped shape the Second Amendment. This amendment, promising the right to bear arms within the context of a "well regulated Militia," reflects Hamilton's vision of a balanced power dynamic between the federal and state governments—a safeguard against tyranny while ensuring the security of a free state.

Fast forward nearly two centuries to the presidency of Richard M. Nixon, a period characterized by deep societal and political tensions. Amid the Vietnam War's controversy and the broader Cold War anxieties, Nixon's administration faced a nation divided. The expansion of the Vietnam War into Cambodia in 1970 ignited widespread protests, culminating in the tragic Kent State shootings. On May 4, 1970, the Ohio National Guard, deployed to quell anti-war demonstrations at Kent State University, opened fire on unarmed students, resulting in four deaths and nine injuries. This event shocked the nation and profoundly impacted the American psyche, embodying the era's conflicts over authority, protest rights, and the use of military force on domestic soil.

This paper proposes to examine the evolution of American political thought and civil-military relations from the nation's founding, as influenced by Hamilton and the Second Amendment, through the societal upheavals leading to and following the Kent State shootings under Nixon's administration. By analyzing these historical moments, we aim to understand how the foundational ideals of the United States have been challenged and reinterpreted over time, especially regarding the balance of power between the state and its citizens, and the role of the military within the domestic sphere. This exploration seeks not only to contextualize these events within the broader narrative of American history but also to draw lessons that might inform current and future discussions about governance, liberty, and the pursuit of a more perfect union.

Alexander Hamilton and the Second Amendment

Alexander Hamilton's vision for the United States was marked by a profound belief in the necessity of a strong central government to ensure the young nation's survival, prosperity, and security. Hamilton, a fervent advocate for the Constitution's ratification, contributed significantly to the Federalist Papers, a series of essays aimed at explaining and advocating for the new Constitution to a skeptical public. His ideas about governance, military organization, and the balance of power between the federal government and the states have had a lasting impact on the structure and operation of the United States government.

Hamilton's Vision for a Strong Central Government and a Well-regulated Militia

Hamilton's advocacy for a strong central government was rooted in his experiences as an aide-de-camp to General George Washington during the Revolutionary War and his post-war involvement in the Continental Congress. He witnessed firsthand the weaknesses of the Articles of

Confederation, particularly regarding fiscal instability and military inefficiency. Hamilton believed that a robust federal government was essential to overcome these challenges, ensure national security, manage economic policies effectively, and command a disciplined military force. Within this framework, Hamilton saw the militia's role not as an unchecked force but as an integral part of the nation's defense, subject to federal oversight and regulation.

The Federalist Papers and Federalist No. 29

In the Federalist Papers, particularly Federalist No. 29, titled "Concerning the Militia," Hamilton directly addresses the issue of organizing, arming, and disciplining the militia. He argues for a regulated militia system that balances the need for a force capable of national defense with the need to prevent its misuse against the populace. Hamilton's approach to the militia issue is pragmatic; he acknowledges the challenges of maintaining a well-regulated militia but insists on the necessity of federal oversight to ensure its effectiveness and reliability. He envisions a system where militias are trained by the federal government to provide a uniform standard of readiness, thereby enhancing the nation's ability to respond to threats without relying solely on a standing army, which could be perceived as a tool of tyranny.

The Second Amendment and the Balance of Federal and State Power

The Second Amendment embodies the principles Hamilton advocated, encapsulating the dual objectives of ensuring national security and safeguarding civil liberties. By stating, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed," the amendment reflects the compromise between federal authority and state rights. It acknowledges the states' role in maintaining militias while recognizing the people's right to bear arms, thus providing a mechanism to resist tyranny if necessary.

Hamilton's support for this balance was not merely theoretical; it was a pragmatic response to the concerns of his time. He understood that the young nation faced internal and external threats that required a capable defense while also recognizing the importance of limiting the potential for government overreach. The Second Amendment, therefore, can be seen as a direct application of Hamilton's broader vision for a balanced federal system where power is distributed in a manner that promotes liberty, security, and governance.

In conclusion, Alexander Hamilton's contributions to the founding principles of the United States, especially his advocacy for a strong central government and a well-regulated militia as articulated in the Federalist Papers and embodied in the Second Amendment, laid the groundwork for a dynamic balance of power. This balance aimed to secure the nation's independence and prosperity while safeguarding the liberties of its citizens against tyranny, a principle that continues to resonate in American political discourse and practice.

The Evolution of the Militia into the National Guard

The transformation from state militias to the National Guard represents a significant evolution in the United States' approach to defense and civil-military relations. This evolution reflects the nation's attempts to balance the ideals of a citizen-soldier force with the practical needs of a modern, professional military capable of both defending the nation and supporting its communities.

Brief History of the Transformation

The concept of the militia in the United States has its roots in early colonial America, where able-bodied men were expected to serve in defense of their communities. With the ratification of the Constitution and the Bill of Rights,

including the Second Amendment, the role of these militias was formalized as a counterbalance to a standing army, which many feared could be used to enforce governmental tyranny.

Over time, however, the limitations of a purely volunteer militia became apparent, especially as the nation faced more complex military challenges. The War of 1812 exposed weaknesses in the militia system, leading to calls for a more organized and effective military force. The Militia Act of 1903, also known as the Dick Act, marked a pivotal shift by creating the modern National Guard system. This act established a more organized and federally funded militia force, which was required to meet certain training and readiness standards.

Dual Role under State and Federal Authority

The National Guard operates under a unique dual-role authority, allowing it to serve both state and federal missions. Under state control, Guardsmen can be mobilized by the governor for disaster response, civil unrest, and other domestic emergencies. This role is deeply rooted in the tradition of the militia, where service to the community and state is paramount.

However, the National Guard can also be federalized, or placed under the control of the President of the United States, primarily for overseas missions or national defense purposes. This is done under Title 10 of the U.S. Code, whereas state duties are performed under Title 32. The process of federalization highlights the Guard's integrated role in the nation's military structure, capable of supplementing the active-duty forces.

Implications of Federalization

The ability to federalize the National Guard has profound implications. It allows for a cohesive national defense strategy, ensuring that all military components can be efficiently mobilized and deployed. However, it also raises questions about state sovereignty and the balance of power between state and federal authorities, especially when Guardsmen are called away from state duties for federal missions.

The Changing Nature of Civil-Military Relations in the U.S.

The evolution of the militia into the National Guard reflects broader changes in civil-military relations in the United States. As the Guard has become more integrated into the national defense apparatus, its role in domestic operations has also expanded, often blurring the lines between military and civilian responsibilities. This has led to debates over the appropriate use of the military in domestic affairs, especially in light of events like the Kent State shootings, which underscored the potential consequences of deploying military forces in civil contexts.

The balance of power Hamilton advocated—a strong central government with an ability to defend the nation, yet restrained by checks and balances, including a well-regulated militia—continues to be a relevant consideration. The National Guard, in its dual role, embodies this balance, serving as both a state and federal force. Yet, the ongoing challenge lies in ensuring that this balance respects the rights and liberties of citizens while effectively meeting the nation's security needs.

In conclusion, the transformation from state militias to the National Guard represents a significant evolution in American military and political history. It reflects the ongoing efforts to balance the demands of national defense with the principles of democracy and federalism. As the National Guard continues to play a critical role in both state and federal missions, the lessons of history and the ideals of the nation's founders remain essential guides in navigating the complexities of civil-military relations and the distribution of power within the United States.

The Nixon Era and Rising Tensions

The presidency of Richard M. Nixon (1969-1974) unfolded during one of the most tumultuous periods in American history, characterized by deep

societal divisions, significant political unrest, and a radical reevaluation of the United States' role on the world stage. This era, particularly Nixon's policies and the conduct of the Vietnam War, greatly influenced the nation's political and social climate.

Political and Social Climate During Nixon's Presidency

Nixon's tenure was marked by significant challenges, including ongoing racial tensions, the struggle for civil rights, and a deeply unpopular war in Vietnam. The country was divided, with widespread protests against racial injustice, the war, and later, against Nixon's own administration. The anti-war movement, which began during Lyndon B. Johnson's presidency, continued to gain momentum under Nixon, fueled by increasing disillusionment with the government's justification for the war and the draft system that sent thousands of young Americans to fight overseas.

Nixon's Stance on Law and Order

Nixon campaigned on a platform of restoring law and order, which resonated with many Americans concerned about social unrest and the perceived breakdown of traditional values. Once in office, his administration took a hardline stance against anti-war protests and civil disobedience, viewing them as threats to national security and public order. This approach led to a significant expansion of federal law enforcement powers and increased surveillance of activists and political opponents, notably through entities like the FBI and the CIA.

The emphasis on law and order had complex impacts on civil liberties and the right to public protest. While it appealed to Nixon's base, who were anxious about the pace of social change and the disorder accompanying protests, it also alienated and angered those who saw their rights to free speech and peaceful assembly being eroded. The administration's aggressive tactics, including wiretapping, infiltration of activist groups, and the use of force against demonstrators, contributed to an atmosphere of fear and mistrust.

Expansion of the Vietnam War into Cambodia

One of the most consequential decisions of Nixon's presidency was the expansion of the Vietnam War into neighboring Cambodia in 1970. Officially justified as a move to cut off North Vietnamese supply lines and to support the pro-American government in Cambodia, this escalation shocked the American public and the international community. It contradicted Nixon's earlier promises to de-escalate the conflict in Vietnam and led to a massive surge in anti-war sentiment.

The announcement of the Cambodian Campaign sparked widespread protests across the United States, as it seemed to signify an endless entanglement in Southeast Asia. College campuses became hotbeds of dissent, culminating in tragic incidents like the Kent State shootings, where National Guard troops fired on unarmed students protesting the Cambodian invasion, killing four and wounding nine. This event crystallized the deep divisions within the country and highlighted the potentially deadly consequences of the administration's policies.

Conclusion

The Nixon era, with its backdrop of the Vietnam War and domestic unrest, stands as a pivotal period in American history, where the strains of a society in transition were laid bare. Nixon's approach to governance, characterized by a strong emphasis on law and order, had far-reaching effects on civil liberties and the nature of political protest. The expansion of the war into Cambodia not only extended the conflict but also exacerbated domestic tensions, leading to one of the most striking episodes of civil-military confrontation on American soil. This period underscores the delicate balance between ensuring security and preserving the democratic rights of citizens, a balance that continues to challenge the United States.

Kent State Shootings: A Turning Point

The Kent State shootings on May 4, 1970, marked a watershed moment in American history, symbolizing the deep divisions and tumultuous spirit of the era. This tragic event unfolded against a backdrop of national unrest and widespread protest against the Vietnam War and its expansion into Cambodia, as announced by President Nixon. The decision to deploy the Ohio National Guard to Kent State University and the subsequent shootings not only resulted in the loss of four young lives but also served as a stark illustration of the tensions between federal power, state authority, and individual rights.

Events Leading to the Kent State Shootings

The immediate events leading to the Kent State shootings began with President Nixon's announcement on April 30, 1970, of the Cambodian Campaign, escalating the Vietnam War. This announcement sparked protests across the United States, particularly on college campuses. At Kent State University in Ohio, students organized demonstrations that grew increasingly intense. On May 1, a rally at the university led to the burning of the ROTC building, exacerbating the situation and prompting officials to call in the Ohio National Guard.

By May 4, tensions on campus had reached a boiling point. National Guard troops, many of whom were of similar age to the students they faced, were ordered to disperse the crowds of demonstrators. The situation escalated, and in a chaotic moment, Guard members fired 67 rounds over a period of 13 seconds into a crowd of students, killing four and wounding nine others. The students killed were Jeffrey Miller, Allison Krause, William Schroeder, and Sandra Scheuer—two of whom were not even participating in the protest.

Analysis of the Shootings and Their Aftermath

The national reaction to the Kent State shootings was one of shock, horror, and widespread condemnation. The incident galvanized opposition to the Vietnam War and sparked a massive student strike, with over 4 million students participating and hundreds of universities, colleges, and high schools closing across the United States. The shootings became a symbol of the deep societal divisions and the extent to which the conflict over the Vietnam War had penetrated American society.

Public opinion was sharply divided. Many saw the shootings as an unjustified and tragic use of force against unarmed students, while others viewed it as a necessary action to maintain order amid chaos. The event prompted a reevaluation of the use of National Guard units in domestic disturbances and led to calls for reforms in how protests were managed and how authorities responded to civil unrest.

Kent State Shootings as a Reflection of Tensions

The Kent State shootings reflect the complex interplay between federal power, state authority, and individual rights that has been a recurring theme in American history. The decision to deploy the Ohio National Guard, a state force, in response to protests over a federal policy decision (the expansion of the Vietnam War) underscores the tensions inherent in the American federal system, especially during times of national crisis.

Moreover, the shootings highlighted the limits of protest and the potential consequences of exercising one's First Amendment rights in a highly charged political environment. The tragedy at Kent State serves as a cautionary tale about the dangers of escalating conflict and the importance of safeguarding civil liberties, even—and perhaps especially—during times of national turmoil.

In conclusion, the Kent State shootings marked a turning point in the United States' history, embodying the era's conflicts and serving as a somber reminder of the cost of political division. This event not only

impacted public opinion and policy regarding the Vietnam War but also left an indelible mark on American consciousness, symbolizing the tragic intersection of governmental authority and the rights of individuals to protest and dissent.

Connecting the Dots: From Hamilton to Kent State

The trajectory of American political thought and practice from the era of Alexander Hamilton to the tumultuous 1970s reveals a narrative of both continuity and profound change. This narrative is deeply interwoven with the evolving interpretation of constitutional principles, particularly those related to the balance of power and the role of the military within domestic settings. The events at Kent State University in 1970, set against Hamilton's foundational ideas, offer a stark lens through which to view these themes.

Continuity and Changes in American Political Thought and Practice

From Hamilton's advocacy for a strong central government and a well-regulated militia in the late 18th century, to the deployment of the National Guard at Kent State University nearly two centuries later, the United States has navigated the delicate balance between authority and liberty. Hamilton's era was marked by the challenge of establishing a new nation on principles of federalism and shared power, while the late 20th century reflected the strain of these principles under the weight of internal division and external commitments.

Hamilton foresaw the necessity of a federal authority capable of uniting diverse states and managing collective defense, yet he also championed the safeguards against tyranny embedded in the Constitution, including the Second Amendment. This balance aimed to prevent the concentration of power that could lead to abuses against the citizenry, a concern that echoes through American history.

From Well-regulated Militias to National Guard Deployments

The transformation from state militias, as envisioned by Hamilton, to the modern National Guard reflects significant shifts in the nation's approach to military organization and civil authority. Hamilton's concept of a well-regulated militia as a counterbalance to federal power and a defense against tyranny contrasts with the role of the National Guard at Kent State, where the state-employed military force acted in a manner that many viewed as a suppression of civil liberties.

The events at Kent State underscore the complexities of deploying military forces in domestic situations, particularly in the context of civil unrest. The National Guard, intended as a force for state defense and emergency assistance, found itself at the center of a national controversy over the appropriate use of force against citizens. This situation calls into question the balance between maintaining public order and respecting the rights to free speech and assembly—principles that are foundational to American democracy.

Lessons Learned from Kent State

Kent State serves as a profound reminder of the importance of protecting civil liberties, even in times of national tension. The tragedy highlighted the risks of escalating military involvement in domestic affairs and the need for clear guidelines and restraint in such deployments. It also reinforced the significance of dialogue, understanding, and non-violent resolution of conflicts within a democratic society.

The lessons from Kent State resonate with Hamilton's warnings about the potential for government overreach and the necessity of safeguards to protect individual rights. They remind us that the strength of a democracy lies not just in its ability to defend itself from external threats, but in its commitment to uphold the principles of liberty and justice for all citizens.

In connecting Hamilton's advocacy for a balanced and well-regulated approach to power with the events at Kent State, we are reminded of the

ongoing need to navigate the tension between security and freedom. This balance is crucial in ensuring that the military and government powers serve the people without compromising the democratic ideals upon which the United States was founded. The evolution from Hamilton's era to the 1970s, and beyond, reflects a continuous journey toward realizing these ideals in the face of changing challenges and circumstances.

Conclusion

This exploration of American political thought and practice from the foundational era of Alexander Hamilton to the seismic events of the Kent State shootings in 1970 reveals the enduring complexity of balancing federal authority, state rights, and individual freedoms. The narrative arc from Hamilton's advocacy for a strong yet balanced federal system to the contentious use of military force against citizens protesting the Vietnam War underscores the evolving challenges faced by the United States in upholding its democratic ideals.

Summary of Key Findings

- **Hamilton's Vision:** Alexander Hamilton's contributions to the framing of the Constitution and his advocacy for a well-regulated militia underscored his commitment to a strong central government balanced by protections against tyranny. His writings in the Federalist Papers remain a testament to the importance of a well-thought-out balance of power within the federal structure.
- **The Second Amendment:** The Second Amendment, rooted in the desire to prevent government overreach while ensuring national security, reflects the ongoing American dialogue about the role of armed citizens and the military in society. Its relevance continues to provoke debate in the context of contemporary issues surrounding gun control and national defense.

- **Kent State Shootings:** The tragic events at Kent State University highlight the dangers of employing military force in domestic contexts, especially against peaceful protestors. This incident serves as a critical reminder of the need for clear guidelines and restraint in the deployment of military and paramilitary forces within the United States.

Ongoing Relevance of Hamilton's Ideas

Hamilton's advocacy for a balanced approach to federal and state power remains profoundly relevant in contemporary debates over governance and civil liberties. The Second Amendment, in particular, stands at the center of ongoing discussions about gun rights, government regulation, and the role of state militias or the National Guard in today's society. These debates underscore the continuing importance of Hamilton's vision in navigating the complex interplay between ensuring security and protecting individual freedoms.

Significance of Historical Events for Future Governance

The significance of historical events like the Kent State shootings extends beyond their immediate impact, serving as crucial lessons for future governance and civil-military relations. These events remind us of the importance of maintaining a democratic dialogue, respecting civil liberties, and exercising caution in the use of military power within domestic settings. They also highlight the need for governments to address the concerns of their citizens through engagement and understanding, rather than through force.

The evolution of American political thought from Hamilton's time to the present day illustrates the resilience of the United States' foundational principles while also emphasizing the need for continuous reflection and adaptation. As the nation moves forward, the lessons from its past, including the ideas of its Founding Fathers and the cautionary tales of events like Kent State, remain essential guides. These historical experiences

underscore the importance of striving for a balance that respects the dignity and rights of all citizens, ensuring that the United States continues to evolve as a democracy that is both strong and just.